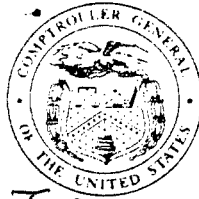


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DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

[Protest of ICC Contract Award]

FILE: B-200344

DATE: November, 28, 1980

MATTER OF: Columbia Reporting Company, Inc.

DIGEST:

Protest filed with GAO more than 10 working days after protester receives notification of initial adverse action on protest filed with contracting agency is untimely and will not be considered on its merits.

Columbia Reporting Company, Inc. (Columbia), protests the award of a contract by the Interstate Commerce Commission (ICC) under solicitation No. ICC-80-0009. Columbia alleges that it was the lowest, responsible bidder and that it should have been awarded the contract.

Columbia initially protested to the agency in a letter dated September 22, 1980. On October 6, 1980, the ICC denied this protest. Our Bid Protest Procedures state that if a protest has been filed initially with the contracting agency, any subsequent protest to the GAO must be filed within 10 working days of formal or constructive notification of adverse agency action to be considered timely. Because Columbia's protest was not filed until October 31, 1980, it is untimely. 4 C.F.R. § 20.2(a) (1980); Tempesta & Son Co., B-199469, July 21, 1980, 80-2 CPD 55.

This protest is dismissed.

Milton J. Sogolar

Milton J. Sogolar
General Counsel

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